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(1)

SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 3429 /2005

PETITIONER

Shaskiya Swasthya Vibhagiya Karmachari, Sanstha, Maryadit, Raipur. A cooperative Society of the Employees of Health Department, Represented Through Om Prakash Sharma- President.

P.R. No. 3529/05 Presented by Shri Roop Nath dated 25/8/05

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Department of Family Health & Welfare Department, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)

2. Joint Director & Superintendent, Doctor Bhim Rao Ambedkar Memorial Medical College Raipur (C.G.)

3. Den, Medical College Raipur (C.G.)

शपथ आयुक्त एस.के. शुक्ला बिलासपुर (छ.ग.) बिलासपुर तहसील कोर्ट

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/ CERTIORARI, ETC. OR DIRECTION(S) / ORDER(S) IN THE LIKE NATURE ETC.

Received copy 23/5/05

INCHARGE
Constitution Cases Section
Office of the Advocate General
State of Chhattisgarh
Bilaspur (C.G.)

The petitioner most humbly begs to submits as under :-

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP.NO.3429 सन् 05/200

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	1-8-2005 Shri Kishore Bhaduri, counsel for the petitioner. Shri Sandeep Dubey, Govt. Advocate for the State. Heard both the counsel. By the instant petition the petitioner society seeks direction to the respondents to continue the petitioner's contract of cycle stand. I have perused the impugned order Annexure-P/1 whereby the Joint Director and Superintendent of Dr. BhimRao Ambedkar Memorial Hospital have asked the petitioner society to vacate the place as the term of contract has already been expired on 31st July 2005. Learned counsel for the petitioner submits that in the year 1995 no cycle stand contractors were available to the respondents hospital, therefore, contract of cycle stand was awarded to the petitioner society. After entering into the contract, the petitioner society has incurred huge expenditure in making road for cycle stand and for improvement of that place. Now, without considering the claim of the petitioner society, respondents are going to award the contract to private contractors, therefore, respondents may be directed to consider the point raised by the petitioner that the ~~attempt for~~ he improvement of the place of cycle stand was made by the petitioner society.	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

He further submits that in the circumstances, the petitioner society may be allowed to make a representation to respondent No.2 within a period of 7 days and respondent No.2 may be directed to consider the representation and decide the same in accordance with the facts and circumstance of the case to which learned counsel for respondent No.1 has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner society is directed to make a detailed representation before respondent No.2 raising all their points within a period of 7 days and respondent No.2 is directed to decide the representation in an objective manner after considering all the points raised by the petitioner society within a period of 15 days from the date of receipt of the representation. They should not proceed with the tender until the representation of the petitioner society is decided.

With the direction aforesaid, the petition stands disposed of.

In view of this order, M.(W.)P. No.2912/2005 and I. A. No.6523/2005 stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.Bhadoo
Judge

(पीछे देखिये)